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10/01/2014

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

In re:	**Chapter 11**
ENERGYTEC, INC., et al.,	**Case No. 09-41477-BTR**
Debtors.	**Judge Rhoades**

STIPULATION OF DISMISSAL OF CONTESTED MATTER

Pursuant to Federal Rule of Bankruptcy Procedure 41 (incorporating Federal Rule of Civil Procedure 41(a)(1)(A)(i)), which is made applicable to that certain contested matter initiated by Newco Energy, Inc. ("Newco") pursuant to Federal Rule of Bankruptcy Procedure 9014(c) by the filing of that certain Motion to Determine Objection to Motion for Approval of Sale Pursuant to 11 U.S.C. § 363 Free and Clear of Liens, Claims, and Other Encumbrances, and objected to by the debtor, Energytec, Inc. ("Energytec"), and party-in-interest, Red Water Resources, Inc. ("Red Water"), which resulted in a ruling of this Court that was appealed to the United States Court of Appeals for the Fifth Circuit and ultimately remanded to this Court on March 10, 2014, by order of the District Court, Newco hereby dismisses said contested matter with prejudice. Each party shall bear their own costs and expenses, including attorneys' fees.

Dated this 30th day of September, 2014:

SO ORDERED.

Signed on 10/1/2014

Brenda T. Rhoades SR

HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE

ZABEL FREEMAN

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